

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
SOLEBURY TOWNSHIP ZONING ORDINANCE
REGARDING SHORT-TERM LODGING FACILITIES**

WHEREAS, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

WHEREAS, the proposed amendments are geared toward fulfilling the Township’s obligations under Article I, Section 27 of the Pennsylvania Constitution, and of protecting the public health, safety, and welfare of Township citizens; and

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

I. Chapter 27 of the Township Code of Ordinances is hereby **AMENDED** as follows:

A. AMEND Section 27-202 of the Zoning Ordinance as follows:

1. STRIKE the term and definition of “Bed-and-Breakfast Inn/Small Short-Term Lodging Facility” and **REPLACE** it with the following:

BED-AND-BREAKFAST INN/SMALL SHORT-TERM LODGING FACILITY
A building in which more than one and no more than six guest rooms are commercially offered and/or used for the temporary lodging of transient guests. Temporary lodging of transient guests means a total stay of less than 30 consecutive days. Where the Township’s land use ordinances use only the term “bed-and-breakfast inn,” the term shall be deemed to also include a small short-term lodging facility. The term “commercial,” for the purposes of this definition, shall mean that a monetary fee is charged and/or received for utilizing a guest room.

2. STRIKE the term and definition of “Hotel, Motel, or Inn/Large Short Term Lodging Facility” and **REPLACE** it with the following:

HOTEL, MOTEL, OR INN/LARGE SHORT-TERM LODGING FACILITY

A building or group of buildings utilizing seven or more guest rooms that are commercially offered and/or used for the temporary lodging of transient guests. Temporary lodging of transient guests means a total stay of less than 30 consecutive days. The term "commercial," for the purposes of this definition, shall mean that a monetary fee is charged and/or received for utilizing a guest room.

3. ADD the term and definition of “Primary Residence” as follows:

PRIMARY RESIDENCE

The dwelling where one or more owners of the property maintain their permanent place of abode and spend the majority of the calendar year. A person may have only one primary residence at any one time. If the owner of the property is a corporation, partnership, limited liability company, limited liability partnership, trust or other entity, a shareholder, partner, trustee or other owner of the entity will be considered an owner for the purpose of this definition.

B. AMEND Section 27-702 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-702.C.(3) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

C. AMEND Section 27-902 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-902.C.(3) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

D. AMEND Section 27-1202 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-1202.C.(5) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

E. AMEND Section 27-1302 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-1302.C.(6) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

F. AMEND Section 27-1402 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-1402.C.(2) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

G. AMEND Section 27-2602 of the Zoning Ordinance as follows:

1. Add Section 27-2602.OO(10) as follows:

Guests at a Bed-and-Breakfast Inn/Small Short-Term Lodging Facility shall be subject to requirements of the Township Code of Ordinances, including but not limited to Chapter 10, Part 2 (Excessive Noise and Other Nuisances); Section 27-2512 (Environmental Controls).

H. AMEND Section 27-2602 of the Zoning Ordinance as follows:

1. Add Section 27-2602.PP(8) as follows:

Guests at a Hotel, Motel, or Inn/Large Short-Term Lodging Facility shall be subject to requirements of the Township Code of Ordinances, including but not limited to Chapter 10, Part 2 (Excessive Noise and Other Nuisances); Section 27-2512 (Environmental Controls).

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this ____ day of _____, 2022.

Mark Baum Baicker, Chair

John Francis, Vice-Chair

Kevin Morrissey, Member

Robert McEwan, Member

Hannah Howe, Member

Attest:

Catherine Cataldi, Township Secretary